

MEMORANDUM OF LAW

The parties request the Court to review and approve the Settlement Agreements so that the resolution of the case will be in accord with the Eleventh Circuit's decision concerning compromising and/or settling of Fair Labor Standards Act (FLSA) claims, *Lynn's Food Stores v. United States*, 679 F.2d 1350 (11th Cir. 1982). In *Lynn's Food Stores*, the Eleventh Circuit set forth two ways in which back wage claims arising under the Fair Labor Standards Act may be settled or compromised by employees. The first is through a payment through the Secretary of Labor. The second is for a private suit to be filed by employees and for the settlement to be reviewed and approved by the Court. It is the second of these procedures the parties are following in this case.

The parties were represented by counsel throughout the negotiation of the Settlement Agreements and the Plaintiffs voluntarily released all their claims raised by this lawsuit against the Defendant in exchange for sufficient consideration. WHEREFORE, the parties respectfully request the Court approve the attached Settlement Agreements and dismiss this action with prejudice.

A proposed Order is attached hereto.

Respectfully submitted this 27th day of May, 2011.

/s/ Michael E. Kramer

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CERTIFICATION

Pursuant to Local Rule 7.1(d) N.D.Ga., I certify that this document has been prepared in Times Roman Font 14 point, as approved by the Court in L.R. 5.1B, N.D.Ga.

ATLANTA INDEPENDENT SCHOOL SYSTEM

s/ Michael James Walker

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JONATHAN ALSTON, DEREK ANDERSON, and HENRY MCCLOUD, III, Plaintiffs, v. THE ATLANTA INDEPENDENT SCHOOL SYSTEM, Defendant.	} }	Civil Action No.: 1:11-CV-0124-JOF
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CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2011, I electronically filed the within and foregoing **JOINT MOTION FOR COURT REVIEW AND APPROVAL OF SETTLEMENT AGREEMENT AND DISMISSAL OF CASE WITH PREJUDICE** with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Michael E. Kramer: mekramer@buckleyklein.com

I hereby certify that I have mailed by United States Postal Service the same to the following non-CM/ECF participants:

None.

Respectfully submitted this 27th day of May, 2011.

ATLANTA INDEPENDENT SCHOOL SYSTEM

s/ Michael James Walker
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